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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,189	04/20/2004	Alessandro DE MATTEIS	AGZP115US	3188
24041	7590	03/04/2005	EXAMINER	
SIMPSON & SIMPSON, PLLC 5555 MAIN STREET WILLIAMSVILLE, NY 14221-5406			DESAI, HEMANT	
			ART UNIT	PAPER NUMBER

3721

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary	Application No. 10/709,189	Applicant(s) DE MATTEIS, ALESSANDRO	
	Examiner Hemant M Desai	Art Unit 3721	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/4/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I , claims 1-5 in the reply filed on 1/7/2005 is acknowledged.

Claim 6 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

PRIORITY

3. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Europe on 5/15/2003. It is noted, however, that applicant has not filed a certified copy of the EP 03425313.8 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim No. 1, it is not clear whether applicant is claiming "folding roller" or "converting machine of paper". Since the claim language is ambiguous and confusing and depending on whether applicant is claiming folding roller or converting machine of paper, can change the entire scope of the claim. Examiner is of an opinion that applicant is claiming folding roller and the examination is done accordingly. If applicant differs from this opinion, the claim should be amended accordingly. Further, "at a portion not occupied by folding rings" (claim 3, lines 2) it not clear how applicant is providing the support at a portion not occupied by folding rings since it not a positive recitation as part of the invention.

The phrase "relative bearing...connected." (claim 5, lines 1-2) is indefinite, confusing and/or vague because it is not clear how applicant is arranging the relative bearing at the ends operatively connected. Further the phrases "the relative bearing", "said ends" (claim 5, lines 2) lack proper antecedent basis.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trogan (4270744) in view of Ogasawara (6299162).

Trogan discloses folding roller (22, fig. 2) having a substantially cylindrical body and a plurality of folding means (48, 51, 57, 60, fig. 2).

Trogan, as mentioned above, discloses all the claimed limitations, except for at least one support is provided for the folding roller and not to impede the folding operations. However, Ogasawara teaches to provide a support (8, fig. 1) for the roller, (3, fig. 1) without impeding the (feeding) operation, to prevent the deflection of the roller and perform stable operation free from deviation (see col. 1, lines 63-65). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to having provided the support for the roller, without impeding the operation as taught by Ogasawara in the folding roller of Trogan to prevent the deflection of the folding roller and perform stable folding operation free from deviation.

Regarding claim 2, Ogasawara teaches to provide bearing surface (rollers 14, fig. 5) between the support (8) and the roller (3) for allowing a free rotation of the roller with respect to the support (see col. 2, lines 45-49). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to having provided bearing surface between the support and the roller as taught by Ogasawara in the folding roller of Trogan for allowing a free rotation of the roller with respect to the support.

Regarding claim 3, Ogasawara teaches that the support hold the roller at a portion not occupied by press contact rollers (6, fig. 1) and thus not to impede with the

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feeding operation. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to having provided the support as taught by Ogasawara in the folding roller of Trogan to hold the folding roller at a portion not occupied by folding elements and thus not to impede with the feeding operation.

Regarding claim 4, Trogan discloses that the folding roller comprises at least a first and a second cylindrical body (see figs. 1-2) operatively connected at an end so that they can rotate integrally.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant M Desai whose telephone number is (571) 272-4458. The examiner can normally be reached on 7:00 AM-5: 30 PM, Mon-Thurs..

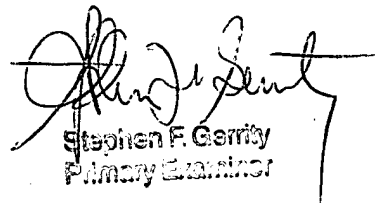
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hemant M Desai
Examiner
Art Unit 3721

HMD



Stephen F. Gerrity
Primary Examiner